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ONE HUNDRED NINTH CONGRESS

# Congress of the United States

## House of Representatives

COMMITTEE ON THE JUDICIARY

2138 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6216

(202) 225-3951

<http://www.house.gov/judiciary>

April 7, 2006

The President  
The White House  
Washington, DC 20500

Dear Mr. President:

We write with respect to the troubling revelation that you authorized I. Lewis Libby, the Vice President's former Chief of Staff, to attempt to discredit a critic of your Administration through the selective leaking of classified information. The information pertained to Iraq's alleged, and now soundly disproved, efforts to acquire nuclear weapons. This leak is similar in pattern to the leak of the identity of a CIA officer whose husband discredited your assertions about Iraq's nuclear ambitions. We ask that, once and for all, you publicly admit the extent of your role in authorizing the selective leaking of information to discredit your critics and detail what other leaks you have authorized that are relevant to the war in Iraq.

As you are aware, at least two senior Administration officials disclosed the fact that Valerie Plame Wilson was an undercover CIA officer. The Justice Department, through Special Counsel Patrick Fitzgerald, began investigating the source of the leak of this highly-classified information. In October 2005, a federal grand jury indicted Mr. Libby for obstruction of justice, perjury, and false statements pertaining to his involvement in the leak.

In the course of this investigation, according to the Justice Department, Mr. Libby testified that you authorized him to leak classified information about Iraq's alleged nuclear ambitions. He testified before a grand jury that "the Vice President later advised him that the President had authorized [Mr. Libby] to disclose the relevant portions of the [classified National Intelligence Estimate]."<sup>1</sup> What makes Mr. Libby's testimony especially troubling is that you have repeatedly implied that you have not had any role in the leaking of classified information.

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<sup>1</sup>Government's Response to Defendant's Third Motion to Compel Discovery at 23, United States v. Libby (D.D.C. 2006) (Cr. No. 05-394).

In fact, you have stated several times that leaking classified information is a serious crime and that perpetrators should be brought to justice. These statements were in connection with the Valerie Plame Wilson leak<sup>2</sup> and the disclosure of the NSA spying program.<sup>3</sup> Mr. Libby's sworn testimony, however, indicates that you have been personally involved in trying to undermine the credibility of those who question your claims about Iraq; as part of that effort, you have permitted the leak of classified information on at least one occasion.

Moreover, even Presidents are not outside of the law in this area. It is apparent that, at a minimum, you are bound by your own executive orders and the executive orders of your predecessors governing the declassification of certain information. It is not clear what those procedures are and whether you have followed them.

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<sup>2</sup>"There are too many leaks of classified information in Washington. There's leaks at the executive branch; there's leaks in the legislative branch. There's just too many leaks. And if there is a leak out of my administration, I want to know who it is. And if the person has violated law, the person will be taken care of. And so I welcome the investigation. I – I'm absolutely confident that the Justice Department will do a very good job. There's a special division of career Justice Department officials who are tasked with doing this kind of work; they have done this kind of work before in Washington this year. I have told our administration, people in my administration to be fully cooperative. I want to know the truth. If anybody has got any information inside our administration or outside our administration, it would be helpful if they came forward with the information so we can find out whether or not these allegations are true and get on about the business." The President, President Discusses Job Creation With Business Leaders (Sept. 30, 2003) (press briefing). You reiterated the point just one month later:

"I'd like to know if somebody in my White House did leak sensitive information. As you know, I've been outspoken on leaks. And whether they happened in the White House, or happened in the administration, or happened on Capitol Hill, it is a – they can be very damaging." The President, President Holds Press Conference (Oct. 28, 2003).

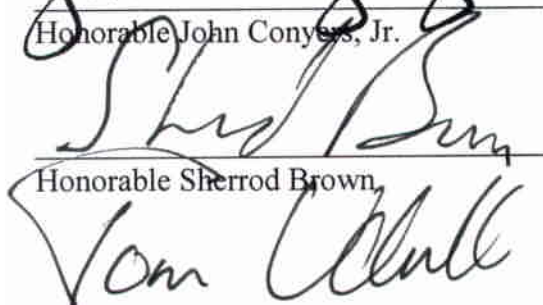
<sup>3</sup>"But it is a shameful act by somebody who has got secrets of the United States government and feels like they need to disclose them publicly." The President, Press Conference of the President (Dec. 19, 2005).

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For these reasons, we ask that you immediately disclose not only the extent of your role in authorizing the disclosure of information to discredit critics of your Administration but also any other information related to the war that you have leaked and the rationale for each such leak.

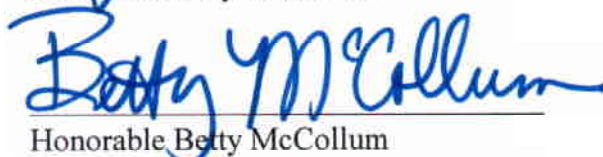
Sincerely,

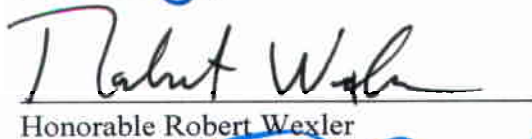
  
Honorable John Conyers, Jr.

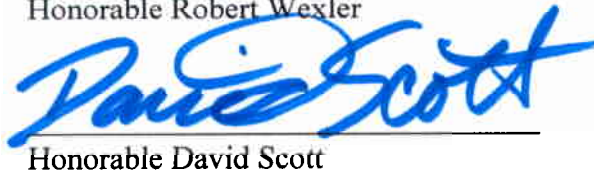
  
Honorable Sherrod Brown

Honorable Tom Udall

  
Honorable Gary Ackerman

  
Honorable Betty McCollum

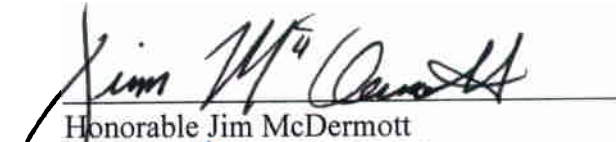
  
Honorable Robert Wexler

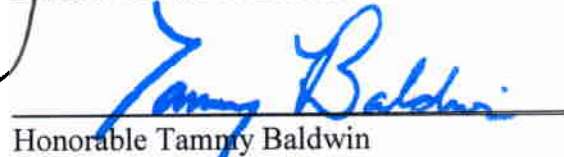
  
Honorable David Scott



Honorable Anthony Weiner

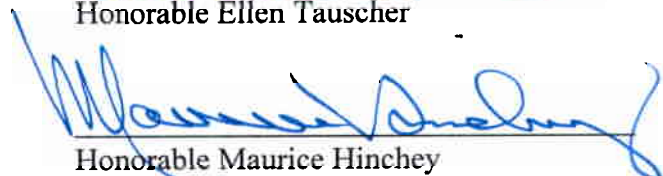
  
Honorable Jerrold Nadler

  
Honorable Jim McDermott

  
Honorable Tammy Baldwin

  
Honorable Steven Rothman

  
Honorable Ellen Tauscher

  
Honorable Maurice Hinchey

  
Honorable Michael Honda